



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE
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**DIRECTOR'S OFFICE
TECHNOLOGY CENTER 3800**

Paper No. 8

In re application of	:	DECISION ON PETITION
Peter M. Dickstein et al.	:	TO MAKE SPECIAL
Application No. 09/752,650	:	(INFRINGEMENT)
Filed: December 29, 2000		
For: SYSTEM AND METHOD TO		
ORGANIZE AND MANAGE		
CORPORATE CAPITALIZATION		
AND SECURITIES		

This is a decision on the renewed petition under 37 C.F.R § 1.102(d) filed April 21, 2003 to make the above-identified application special.

The petition requests that the above-identified application be made special under the procedure set forth in M.P.E.P. § 708.02, item II: Infringement.

MPEP 708.02 states that a Petition to Make Special based on Infringement must have the following: (1) the appropriate petition fee under 37 CFR 1.17(i); (2) a statement by the assignee, applicant, or attorney alleging: (A) that there is an infringing device or product actually on the market or method in use; (B) that a rigid comparison of the alleged infringing device, product or method with the claims of the application has been made, and that, in his or her opinion, some of the claims are unquestionably infringed; and (C) that he or she has made a careful and thorough search of the prior art, or has good knowledge of the prior art, and has sent a copy of the references deemed most closely related to the subject matter encompassed by the claims.

A petition to make special was filed on December 24, 2002. The petition was dismissed in a decision mailed March 10, 2003 wherein it was held the petition lacked requirement 2(C), above. Specifically, applicant failed to send a copy of the references deemed most closely related to the subject matter encompassed by the claims.

In the renewed petition applicant argues that an Information Disclosure Statement (IDS) was filed on October 1, 2002 and that applicants did in fact submit the most closely related art as required. However, a review of the file record indicates that the IDS filed October 1, 2002 has not been received. Applicant should resubmit the IDS of October 1, 2002 in any request for reconsideration.

Any request for reconsideration must be filed within TWO MONTHS of the date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. Should petitioner desire reconsideration, he should supplement this petition by a declaration or statement giving the information as outlined above.

Applicant should promptly submit a renewed petition to the Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450. The envelope should indicate that the correspondence be brought to the attention of Technology Center 3600.

Until the renewed petition is submitted, the application will be returned to the examiner's docket to await treatment on the merits in the normal order of examination.

SUMMARY: Petition to Make Special **DISMISSED**.



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SNM/tpl: 5/2/03